

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

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IN RE TYCO INTERNATIONAL LTD.,
SECURITIES, DERIVATIVE AND “ERISA”
LITIGATION
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MDL Docket No. 02-1335-B

This Document Relates To:

STATE OF NEW JERSEY, DEPARTMENT
OF TREASURY, DIVISION OF
INVESTMENTS BY TREASURER JOHN E.
McCORMAC, on behalf of the COMMON
PENSION FUND A, DCP EQUITY FUND,
DCP SMALL CAP EQUITY FUND,
SUPPLEMENTAL ANNUITY COLLECTIVE
TRUST FUND, NJ BEST POOLED EQUITY
FUND, and TRUSTEES FOR THE SUPPORT
OF PUBLIC SCHOOLS FUND,

Docket No. 03-1337-B

Plaintiffs,

v.

TYCO INTERNATIONAL LTD.,
L. DENNIS KOZLOWSKI, MARK H.
SWARTZ, MARK A. BELNICK,
PRICEWATERHOUSECOOPERS, LLP,
PRICEWATERHOUSECOOPERS,
FRANK E. WALSH, JR., RICHARD S.
BODMAN, JOHN F. FORT, III, JAMES S.
PASMAN, JR., and WENDY E. LANE,

Defendants.
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**MOTION OF PRICEWATERHOUSECOOPERS LLP FOR BRIEFING
SCHEDULE FOR SUMMARY JUDGMENT ON LOSS CAUSATION AND
MODIFICATION OF EXPERT DISCOVERY SCHEDULE**

Defendant PricewaterhouseCoopers LLP (“PwC”) respectfully moves to set a
briefing schedule to permit PwC to move for summary judgment on loss causation on an
immediate basis and to modify the expert discovery schedule. In particular, PwC asks

that Practice and Procedure Order No. 12, as modified on February 4, 2008, be further modified as set forth in the Proposed Order attached hereto as Exhibit A. In support of its motion, PwC submits the accompanying (i) Memorandum of Law; (ii) Declaration of Michael P. Carroll (the "Carroll Declaration"); and (iii) Motion to Expedite Briefing.¹ Counsel for PwC has contacted counsel for Plaintiffs, and Plaintiffs do not assent to the relief sought herein.

WHEREFORE, PwC respectfully requests the following relief:

- A. An order establishing a summary judgment briefing schedule on loss causation and modifying the expert discovery schedule as set forth in the Proposed Order attached hereto as Exhibit A; and
- B. An order granting PwC such other relief as is just and equitable.

Dated: March 4, 2008

/s/ Arnold Rosenblatt
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¹ The Memorandum of Law and Carroll Declaration, and the exhibits attached thereto, have been filed conventionally along with a Motion to Seal these materials, in accordance with Paragraph 13 of the March 11, 2005 Stipulated Protective Order entered in this litigation. PwC has electronically filed a Notice of Conventional Filing in connection with these materials.

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CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2008, I caused true and correct copies of the (i) Motion of PricewaterhouseCoopers LLP for Briefing Schedule for Summary Judgment on Loss Causation and Modification of Expert Discovery Schedule, and Exhibit A attached thereto; and (ii) Notice of Conventional Filing of PricewaterhouseCoopers LLP to be served electronically upon the counsel below:

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